

METHUEN CONSERVATION COMMISSION
Minutes of Meeting – June 19, 2008

The City of Methuen Conservation Commission held a public meeting on June 19, 2008, at 7:00 p.m. in the William Quinn Public Safety Building, Sanborn Hall. Present for this meeting were Suzanne Lamoureux, Chairperson, John Wilkens, Vice Chairperson, Christopher Parsons, Secretary, and Commissioners Sandra Boulay and Isabel Tourkantonis. Absent was George Kazanjian, Financial Secretary and Joseph T. Giarrusso, Conservation Officer. Also present was Head Clerk, Dianne A. Dewan.

The Chairperson called the meeting to order at 7:00 p.m.

I. NOTICES OF INTENT:

A. Notices of Intent – DEP File #219-1058 – MCC File #08-010 – 45 Haverhill Street – Soo Mi Park – Stowers Associates, Inc. (Con't from 06/05/08)

The Chairperson re-opened the public hearing for the above noted project and Hugh Dunkley of Stowers Associates, Inc. presented a revised plan and information to the Commission to address the concerns of the last meeting.

Ms. Lamoureux read comments from the Conservation Officer's report and memo dated June 12, 2008, from the City Engineering Department.

Hearing no public input at this time, a motion was made by Mr. Wilkens; seconded by Mr. Parsons; so voted, UNANIMOUS to CLOSE the public hearing for this project. The Commission now has 21 days in which to make their decision. It will not be made this evening.

II. CALL TO ORDER: The Chairperson called the regular meeting to order at 7:07 p.m.

III. ACCEPTANCE OF AGENDA / AMENDMENTS (IF ANY): A motion was made by Mr. Parsons; seconded by Mr. Wilkens; so voted, UNANIMOUS to ACCEPT the Agenda as posted.

IV. ACCEPTANCE OF MINUTES: There was not a quorum of Commissioners present from the meeting of 05/15/08 to accept these minutes.

V. NEW BUSINESS:

A. Request for Determination of Applicability – MCC File # 08-005 – 37 North Street – Michael & Alexina Paolino – ESS

Greg Saab of ESS submitted a copy of the legal notice and presented the plans for replacement of a failed septic system within the Buffer Zone of Bordering Vegetated Wetlands.

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A motion was made by Mr. Wilkens; seconded by Mr. Parsons; so voted, UNANIMOUS to ISSUE Negative 3 Determinations of Applicability with standard boiler plate, conditions #'s 2 and 7 waived under the state and # 7 under the local to require a letter upon completion and adding the following special conditions:

- **Before any work is done**, erosion control shall be installed as shown on the approved plan. The Conservation Commission or its agent shall inspect it before work may begin.
- **Before any work is done**, a copy of the Board of Health approval shall be submitted to the Commission.
- The Applicant shall provide the Commission with a 48-hour notice before abandoning the existing septic system. The applicant shall comply with all Title V requirements.
- Prior to any field changes, a written request to include drawings shall be submitted for review and approval by the Commission and/or its agent.

B. Request for Determination of Applicability – MCC File # 08-006 – 11 Myrtle Street –
Rene & Theresa Lanouette – ESS

Greg Saab of ESS submitted a copy of the legal notice and presented the plans for replacement of a failed septic system within the Buffer Zone of Bordering Vegetated Wetlands.

A motion was made by Mr. Wilkens; seconded by Mr. Parsons; so voted, UNANIMOUS to ISSUE Negative 3 Determinations of Applicability with standard boiler plate, conditions #'s 2 and 7 waived under the state and # 7 under the local to require a letter upon completion and adding the following special conditions:

- **Before any work is done**, erosion control shall be installed as shown on the approved plan. The Conservation Commission or its agent shall inspect it before work may begin.
- **Before any work is done**, a copy of the Board of Health approval shall be submitted to the Commission.
- The Applicant shall provide the Commission with a 48-hour notice before abandoning the existing septic system. The applicant shall comply with all Title V requirements.
- Prior to any field changes, a written request to include drawings shall be submitted for review and approval by the Commission and/or its agent.

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VI. OLD BUSINESS:

A. Enforcement Issues

1. NOV - # 08-002 – 76 Cross Street - Karrossi

The property owner, Mr. Karrossi was present while Mr. Giarrusso presented pictures of the site explaining the work done in violation of the approved plans.

After some discussion, the Commission required the following action be taken to bring the site into compliance. Conservation markers shall be moved within 30 days to the approved limit of clearing associated with the altered area as shown on the amended plan dated April 5, 2007. The second is that the area beyond this line shall be allowed to re-vegetate naturally and the site shall be checked in December for growth. A letter shall be sent to the property owner reiterating these requirements.

2. NOV – # 08-003 – 64 West Street - Menasian

Mr. Giarrusso noted that Mr. Menasian has not contacted the office and he will follow up on this.

3. NOV - # 08-006 – 19 Country Lake Road - Doyle

Mr. Giarrusso updated the Commission on a violation at the above noted address noting that the property owner has altered jurisdictional areas within 100' of Forest Lake and an intermittent stream by excavating and installing un-permitted structures.

A Notice of Violation has been issued requiring that all work within jurisdictional areas cease and desist immediately with the exception of implementing erosion control measures to stabilize the site. Mr. Doyle has also been requested to attend the July 10, 2008 meeting to address the violation.

B. Certificates of Compliance/Bond Release – DEP File #219-883 – MCC File # 03-035 -
Lot 1, Eagle Lane – DC Development – Meisner Brem Corporation (Con't from 05/08/08)
AND

C. Certificates of Compliance – DEP File #219-879 – MCC File # 03-034 – Eagle Lane
(roadway/drainage) – DC Development – Meisner Brem Corp. (Cont' from 05/08/08)

As requested in a letter dated July 19, 2008, from DC Development, a motion was made by Mr. Wilkens; seconded by Mr. Parsons; so voted, UNANIMOUS to CONTINUE these items to the meeting of July 24, 2008.

D. Extensions to Orders of Conditions – DEP File # 219-911 – MCC File # 04-013 – Phase IA,
Emerald Pines – R & D Development Realty LLC

Upon recommendation of the Conservation Officer, a motion was made by Mr. Wilkens; seconded by Mr. Parsons; so voted, UNANIMOUS to ISSUE one (1) year extensions to the above noted Orders of Conditions.

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VII. INSPECTOR'S REPORT: In addition to his written report, Mr. Giarrusso noted the following:

- 1) With respect to the hazardous material release at 158 Hampstead Street last April, ENPRO will be addressing the last segment of an affected 10' area of a 13' by 15' overgrown Bordering Vegetated Wetland.
- 2) The Torrromeo violation on Ferry Road has received a MESA approval.
- 3) He will be issuing a Notice of Violation to Sara Aviles at 260 Lowell Street for non-compliance with Determination of Applicability, MCC File # 07-025.

VIII. OTHER BUSINESS:

- 1) Mrs. Dewan requested approval of the Commission to use Receipts Reserved money to pay for the Nextel bill for the 2009 Fiscal Year 2009. The bill is approximately \$44.00 per month.

A motion was made by Mr. Parsons; seconded by Mr. Wilkens; so voted, UNANIMOUS to ALLOW the Expense.

- 2) Mr. Parsons requested that the Conservation Officer look into lawn debris being dumped into the wet meadow at Emerald Pines.

IX. ADJOURN: A motion was made by Mr. Parsons; seconded by Mrs. Boulay; so voted, UNANIMOUS to ADJOURN the meeting at 7:40 p.m.

Respectfully submitted by:

Dianne A. Dewan
Head Clerk

Reviewed by:

Christopher Parsons,
Secretary

Approved on:

October 2, 2008

Date Approved